

IN THE
 COURT OF CRIMINAL APPEALS
 OF TEXAS

FILED
 COURT OF CRIMINAL APPEALS
 8/9/2018
 DEANA WILLIAMSON, CLERK

MARC WAKEFIELD DUNHAM

§

§

VS.

§

CAUSE NO. _____

§

STATE OF TEXAS

§

**MOTION TO EXTEND TIME TO FILE A
 PETITION FOR DISCRETIONARY REVIEW**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Marc Wakefield Dunham, appellant, files this Motion To Extend Time To File A Petition For Discretionary Review, and would show as follows:

I.

Appellant pled not guilty to Class A misdemeanor deceptive business practice in cause number 2109329 in the County Criminal Court at Law Number 6 of Harris County before the Honorable Larry Standley. A jury convicted him, and the court assessed punishment at one year in the county jail and a \$4,000 fine on January 27, 2017. L. Jeth Jones, II, represented him at trial.

The Fourteenth Court of Appeals affirmed the judgment in a published opinion issued on July 10, 2018. Dunham v. State, ___ S.W.3d ___, No. 14-17-00098-CR (Tex. App.—Houston [14th Dist.]). Appellant did not move for rehearing. Josh Schaffer represented him in the court of appeals. The deadline to file a petition for discretionary review (PDR) is August 9, 2018.

II.

This Court may extend the time to file a PDR if a party files a motion complying with Rule of Appellate Procedure 10.5(b) no later than 15 days after the last day to file a petition. TEX. R. APP. P. 68.2(c). This motion is timely, and appellant has not sought a previous extension of time to file a PDR.

Appellant hired counsel to file a PDR on August 6, 2018. He cannot prepare and file the PDR in the few days before the deadline. He also is on a family vacation from August 9 through August 19, 2018. He requests that the Court grant a 30-day extension of time, until September 8, 2018, to file a PDR.

CONCLUSION

Appellant requests a 30-day extension of time to file a PDR.

Respectfully submitted,

/s/ Josh Schaffer

Josh Schaffer

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Attorney for Appellant

MARC WAKEFIELD DUNHAM

CERTIFICATE OF SERVICE

I served a copy of this motion on Katie Davis, assistant district attorney for Harris County; and on Stacey Soule, State Prosecuting Attorney, by electronic mail on August 7, 2018.

/s/ Josh Schaffer
Josh Schaffer